

Water and Human Rights: Exploring the Roles and Responsibilities of Business



Access to Water

- ◆ Sufficient
- ◆ Safe
- ◆ Acceptable
- ◆ Accessible
- ◆ Affordable
- ◆ *“The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.” - GC 15.*

International Law

- ◆ Not affirmed explicitly, but...
- ◆ CRC
- ◆ CEDAW
- ◆ ILO 161 (Disability)
- ◆ General Comment 15 (ESCR 11 - Standard of Living, and ESCR 12 - Health)
- ◆ Independent Expert in 2008

Which rights?

- ◆ Life
- ◆ Health (Art 12 ESCR) - *2000 safe drinking water and sufficient sanitation*
- ◆ Food
- ◆ Adequate Standard of Living - (*Art 11 ESCR*)
- ◆ Non-Discrimination/Equality
- ◆ Torture
- ◆ Participation
- ◆ Seek, receive, impart information
- ◆ Cultural rights
- ◆ Indigenous communities

Recent cases

- ◆ Cochabamba
- ◆ Soweto
- ◆ Ilisu, Narmada, Three Gorges, Pergau, Merowe
- ◆ Plachimada
- ◆ Fiji
- ◆ Niger Delta
- ◆ Bhopal

Reality

- ◆ Impact on women
- ◆ Impact on poor (costs)
- ◆ Sanitation

Ruggie Framework

- ◆ Duty to Protect
- ◆ Responsibility to Respect
- ◆ Effective Access to Remedies

Responsibility to Respect

- ◆ Due Diligence
- ◆ Policy
- ◆ Assessment
- ◆ Internal Integration
- ◆ Monitoring
- ◆ Transparency
- ◆ Accountability
- ◆ Participation
- ◆ Grievance Mechanism
- ◆ Universal Service Obligation (Non-Discrimination)

Industrial Users

- ◆ Comply with laws
- ◆ Be efficient
- ◆ Dispose responsibly
- ◆ Assess rights impact in choosing suppliers and site
- ◆ Work with governments and stakeholders

Water providers

- ◆ Abide by law
- ◆ Include the marginalized
- ◆ Ensure affordability (USO)
- ◆ Monitor prices, prevent arbitrary disconnections

Rights-based approach

- ◆ Non-Discrimination
- ◆ Full range of rights - interdependence, inter-relatedness
- ◆ Empower right to know (be transparent and accountable)
- ◆ Establish accountability mechanisms

Where to find us

- ◆ www.institutehrb.org
- ◆ Contacts:
john.morrison@institutehrb.org,
salil.tripathi@institutehrb.org,
water@institutehrb.org